

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARCEL BEVERLY,

Plaintiff,

v.

DEBORAH DUTCHER,

Defendant.

Case No.: 1:07-cv-757

HONORABLE PAUL L. MALONEY

**ORDER ADOPTING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Ellen S. Carmody in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that Plaintiff's Motion to Amend Complaint (Dkt. #24) is **GRANTED**.

IT IS FURTHER ORDERED that Defendant Dutcher's Motion for Summary Judgment (Dkt. #21) is **GRANTED**. Plaintiff's action is **dismissed**.

Dated: January 14, 2009

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge